

submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 353

Whereas the National Education Association has designated November 15 through November 21, 2009, as the 88<sup>th</sup> annual observance of "American Education Week";

Whereas public schools are the backbone of democracy in the United States, providing young people with the tools needed to maintain the precious values of freedom, civility, and equality in our Nation;

Whereas by equipping young people in the United States with both practical skills and broader intellectual abilities, public schools give young people hope for, and access to, a productive future;

Whereas people working in the field of public education, including teachers, higher education faculty and staff, custodians, substitute educators, bus drivers, clerical workers, food service professionals, workers in skilled trades, health and student service workers, security guards, technical employees, and librarians, work tirelessly to serve children and communities throughout the Nation with care and professionalism; and

Whereas public schools are community linchpins, bringing together adults, children, educators, volunteers, business leaders, and elected officials in a common enterprise: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of "American Education Week"; and

(2) encourages the people of the United States to observe "American Education Week" by reflecting on the positive impact of all those who work together to educate children.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2771. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 2772. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3082, supra; which was ordered to lie on the table.

SA 2773. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, supra; which was ordered to lie on the table.

SA 2774. Mr. INHOFE (for himself, Mr. BARRASSO, Mr. BROWNBAC, Mr. CRAPO, Mr. DEMINT, Mr. ENZI, Mr. JOHANNIS, Mr. KYL, Mr. ROBERTS, Mr. THUNE, Mr. VITTER, Mr. BOND, and Mr. HATCH) submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, supra.

SA 2775. Mr. WARNER (for himself, Mrs. FEINSTEIN, Mrs. SHAHEEN, Mrs. HAGAN, and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, supra; which was ordered to lie on the table.

SA 2776. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2754 submitted by Mr. INOUE to the amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill

H.R. 3082, supra; which was ordered to lie on the table.

SA 2777. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, supra; which was ordered to lie on the table.

SA 2778. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, supra; which was ordered to lie on the table.

SA 2779. Mr. DEMINT proposed an amendment to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, supra.

SA 2780. Mr. REID (for Mrs. MURRAY) proposed an amendment to the bill S. 1422, to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

#### TEXT OF AMENDMENTS

SA 2771. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 229. In administering section 51.210(d) of title 38, Code of Federal Regulations, the Secretary of Veterans Affairs shall permit a State home to provide services to, in addition to non-veterans described in such section, a non-veteran any of whose children died while serving in the Armed Forces.

SA 2772. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) Notwithstanding any other provision of law, no funds appropriated or otherwise made available to the Secretary of Health and Human Services (referred to in this section as the "Secretary") may be used by the Secretary to require that oysters be treated with post-harvest processing or other treatment or cooking requirements that result in a prohibition on selling or consuming raw oysters.

(b)(1) The Secretary, acting through the Commissioner of Food and Drugs, and in cooperation with the oyster industry, the Interstate Shellfish Sanitation Conference, and any other agency such Commissioner deems appropriate, shall conduct an education campaign to increase awareness of the risks associated with consuming raw oysters.

(2) The education campaign conducted under paragraph (1) shall include the following components:

(A) A focus on educating the populations most at risk for harm from eating raw oysters, especially those with liver diseases or weakened immune systems.

(B) Informing oyster harvesters, processors, and distributors of all the requirements for oyster storage and handling and

best practices to keep oysters safe for human consumption.

(3) There are authorized to be appropriated such sums as may be necessary to carry out this subsection.

(c) If the Secretary issues a proposed regulation or guidance that affects the harvesting, processing, or transportation of seafood harvested in the United States, then in no case may such regulation or guidance become final or take effect until the Secretary submits to the appropriate committees of Congress a report that contains—

(1) a cost-benefit analysis and an economic impact study on such proposed regulation or guidance;

(2) a health impact analysis that describes any alleged health risks that such proposed regulation or guidance seeks to address and an explanation of how such regulation or guidance would address those risks; and

(3) an analysis that compares such proposed regulation or guidance to any similar regulations or guidance with respect to other regulated foods, including a comparison of risks the Secretary may find associated with seafood and the instances of those risks in such other regulated foods.

SA 2773. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 229. (a) DESIGNATION OF ROBLEY REX DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER.—The Department of Veterans Affairs Medical Center in Louisville, Kentucky, and any successor to such medical center, shall after the date of the enactment of this Act be known and designated as the "Robley Rex Department of Veterans Affairs Medical Center".

(b) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the medical center referred to in subsection (a) shall be considered to be a reference to the Robley Rex Department of Veterans Affairs Medical Center.

SA 2774. Mr. INHOFE (for himself, Mr. BARRASSO, Mr. BROWNBAC, Mr. CRAPO, Mr. DEMINT, Mr. ENZI, Mr. JOHANNIS, Mr. KYL, Mr. ROBERTS, Mr. THUNE, Mr. VITTER, Mr. BOND, and Mr. HATCH) submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

On page 60, after line 24, add the following:

SEC. 608. (a) None of the funds appropriated or otherwise made available by this Act may be used to construct or modify a facility or facilities in the United States or its territories to permanently or temporarily hold any individual who was detained as of October 1, 2009, at Naval Station, Guantanamo Bay, Cuba.

(b) In this section, the term "United States" means the several States and the District of Columbia.

**SA 2775.** Mr. WARNER (for himself, Mrs. FEINSTEIN, Mrs. SHAHEEN, Mrs. HAGAN, and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 229. (a) STUDY ON CAPACITY OF THE DEPARTMENT OF VETERANS AFFAIRS TO ADDRESS COMBAT STRESS IN WOMEN VETERANS.—The Secretary of Veterans Affairs shall carry out a study to assess the capacity of the Department of Veterans Affairs to address combat stress in women veterans.

(b) ELEMENTS.—In carrying out the study, the Secretary shall consider the following:

(1) Whether women veterans are properly evaluated by the Department for post-traumatic stress disorder (PTSD), traumatic brain injury (TBI), and other combat stress.

(2) Whether women veterans with combat stress are properly assigned disability ratings by the Department for purposes of veterans disability benefits for combat stress.

(3) Whether the staffing and training of mental health professionals in the Department is adequate to properly identify and treat post-traumatic stress disorder in women veterans.

(4) Such other matters as the Secretary considers appropriate.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report on the findings of the Secretary as a result of the study, together with such recommendations for legislative or administrative action as the Secretary considers appropriate in light of such findings.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committees on Appropriations and Veterans’ Affairs of the Senate; and

(B) the Committees on Appropriations and Veterans’ Affairs of the House of Representatives.

**SA 2776.** Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2754 submitted by Mr. INOUE to the amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 2 of the amendment, beginning on line 8, strike “Notwithstanding” and all that follows through line 11.

**SA 2777.** Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 21, add the following:

SEC. 229. (a) STUDY ON IMPROVEMENTS TO INFORMATION TECHNOLOGY INFRASTRUCTURE NEEDED TO FURNISH HEALTH CARE SERVICES TO VETERANS USING TELEHEALTH PLATFORMS.—The Secretary of Veterans Affairs shall carry out a study to identify the improvements to the infrastructure of the Department of Veterans Affairs that are required to furnish health care services to veterans using telehealth platforms.

(b) AVAILABILITY OF FUNDS.—The amounts appropriated or otherwise made available by this title under the headings “DEPARTMENTAL ADMINISTRATION” and “INFORMATION TECHNOLOGY SYSTEMS” shall be available to the Secretary of Veterans Affairs to carry out the study required by subsection (a).

**SA 2778.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. None of the funds appropriated or otherwise made available by this Act may be used to support, prepare for, or otherwise facilitate the transfer to or the detention in any State or territory of the United States any individual who was detained as of October 1, 2009, at Naval Station, Guantanamo Bay, Cuba.

**SA 2779.** Mr. DEMINT proposed an amendment to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the end of title II, add the following:

SEC. 229. (a) LIMITATION ON USE OF FUNDS FOR TRANSFER OR DETENTION IN UNITED STATES OF DETAINEES AT GUANTANAMO BAY WITHOUT FULL FUNDING OF CERTAIN VETERANS PROGRAMS.—

(1) LIMITATION.—None of the funds appropriated or otherwise made available by this Act may be used to support, prepare for, or otherwise facilitate the transfer to or the detention in any State or territory of the United States of any individual who was detained as of November 1, 2009, at Naval Station Guantanamo Bay, Cuba, until 15 days after the Secretary of Veterans Affairs certifies to Congress that the programs specified in subsection (b) are fully funded for fiscal year 2010.

(2) CERTIFICATION.—The certification submitted under this subsection shall include a description of the funding available for fiscal year 2010 for each program intended to address a need of veterans specified in subsection (b).

(b) PROGRAMS.—The programs specified in this subsection are the programs of the Department of Veterans Affairs to meet needs of veterans for the following:

(1) Health care.

(2) Rehabilitation and reintegration into the community of veterans suffering from traumatic brain injury (TBI).

(3) Rehabilitation and reintegration into the community of veterans suffering from post-traumatic stress disorder (PTSD).

(4) Specially adapted housing for disabled veterans.

(5) Counseling and treatment for service-connected trauma, including trauma associated with sexual assault.

**SA 2780.** Mr. REID (for Mrs. MURRAY) proposed an amendment to the bill S. 1422, to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews; as follows:

On page 2, line 22, insert after “counting” the following “personal commute time or”.

## NOTICE OF HEARING

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, December 10, 2009, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on the role of grid-scale energy storage in meeting our energy and climate goals.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Abigail\_Campbell@energy.senate.gov.

For further information, please contact Alicia Jackson (202) 224-3607, Abigail Campbell (202) 224-1219, or Kellie Donnelly (202) 224-9360.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on November 10, 2009, at 10 a.m., to conduct a hearing entitled “ending veterans’ homelessness.”

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FINANCE

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on November 10, 2009, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Climate Change Legislation: Considerations for Future Jobs.”

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FOREIGN RELATIONS

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 10, 2009, at 9 a.m.